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103D CONGRESS
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S. 1283

[Report No. 103-119]

To amend the Technology-Related Assistance for Individuals With Disabilities Act of 1988 to improve the Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 23 (legislative day, JUNE 30), 1993

Mr. HARKIN (for himself, Mr. DURENBERGER, Mr. KENNEDY, Mr. JEFFORDS, Mr. METZENBAUM, Mr. SIMON, Mr. WELLSTONE, Mr. WOFFORD, Mr. PELL, Mr. DOLE, and Mr. HATCH) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

AUGUST 3 (legislative day, JUNE 30), 1993

Reported by Mr. KENNEDY, without amendment

A BILL

To amend the Technology-Related Assistance for Individuals With Disabilities Act of 1988 to improve the Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Technology-Related
3 Assistance Act Amendments of 1993”.

4 **SEC. 2. REFERENCES.**

5 Except as otherwise specifically provided, whenever in
6 this Act an amendment or repeal is expressed in terms
7 of an amendment to, or a repeal of, a section or other
8 provision, the reference shall be considered to be made to
9 a section or other provision of the Technology-Related As-
10 sistance for Individuals With Disabilities Act of 1988 (29
11 U.S.C. 2201 et seq.).

12 **SEC. 3. FINDINGS, PURPOSES, AND POLICY.**

13 (a) **SECTION HEADING.**—Section 2 (29 U.S.C. 2201)
14 is amended by striking the heading and inserting the fol-
15 lowing:

16 **“SEC. 2. FINDINGS, PURPOSES, AND POLICY.”.**

17 (b) **FINDINGS.**—Section 2(a) is amended—

18 (1) in paragraph (3)(C), by striking “non-
19 disabled individuals” and inserting “individuals who
20 do not have disabilities”;

21 (2) by redesignating paragraphs (4) through
22 (8) as paragraphs (5) through (9), respectively;

23 (3) by inserting after paragraph (3) the follow-
24 ing new paragraph:

25 “(4) The goals of the Nation properly include
26 providing individuals with disabilities with the tools,

1 including assistive technology devices and assistive
2 technology services, necessary to—

3 “(A) make informed choices and decisions;
4 and

5 “(B) achieve equality of opportunity, full
6 inclusion and integration in society, employ-
7 ment, independent living, and economic and so-
8 cial self-sufficiency, for such individuals.”;

9 (4) in paragraph (6) (as redesignated in para-
10 graph (2) of this subsection)—

11 (A) by striking “assistive technology de-
12 vices and services” and inserting “assistive
13 technology devices and assistive technology
14 services”; and

15 (B) by striking “families” and inserting
16 “the parents, family members, guardians, advo-
17 cates, and authorized representatives”;

18 (5) in subparagraph (C) of paragraph (7) (as
19 redesignated in paragraph (2) of this subsection), to
20 read as follows:

21 “(C) information about the potential of
22 technology available to individuals with disabili-
23 ties, the parents, family members, guardians,
24 advocates, and authorized representatives of the
25 individuals, individuals who work for public

1 agencies, or for private entities (including insur-
2 ers), that have contact with individuals with
3 disabilities, educators and related services per-
4 sonnel, employers, and other appropriate indi-
5 viduals;”;

6 (6) in paragraph (8) (as redesignated in para-
7 graph (2) of this subsection) by striking “limited
8 markets” and inserting “a perception that such indi-
9 viduals constitute a limited market”; and

10 (7) in the second sentence of paragraph (9) (as
11 redesignated in paragraph (2) of this subsection), by
12 striking “to individuals with disabilities” and all
13 that follows and inserting the following: “to individ-
14 uals with disabilities, the parents, family members,
15 guardians, advocates, and authorized representatives
16 of the individuals, individuals who work for public
17 agencies, or for private entities (including insurers),
18 that have contact with individuals with disabilities,
19 educators and related services personnel, employers,
20 and other appropriate individuals.”.

21 (c) PURPOSES.—Section 2(b) is amended by striking
22 paragraph (1) and inserting the following:

23 “(1) To provide financial assistance to the
24 States to support systemic change and advocacy ac-
25 tivities designed to assist each State in developing

1 and implementing a consumer-responsive com-
2 prehensive statewide program of technology-related
3 assistance, for individuals of all ages who are indi-
4 viduals with disabilities, that is designed to—

5 “(A) increase the availability of, funding
6 for, access to, and provision of assistive tech-
7 nology devices and assistive technology services
8 for individuals with disabilities;

9 “(B) increase the active involvement of in-
10 dividuals with disabilities, and the parents, fam-
11 ily members, guardians, advocates, and author-
12 ized representatives of individuals with disabil-
13 ities in the planning, development, implementa-
14 tion and evaluation of such a program;

15 “(C) increase the involvement of individ-
16 uals with disabilities, and, if appropriate, the
17 parents, family members, guardians, advocates,
18 or authorized representatives of individuals with
19 disabilities, in decisions related to the provision
20 of assistive technology devices and assistive
21 technology services;

22 “(D) increase and promote interagency co-
23 ordination among State agencies, and between
24 State agencies and private entities, that are in-
25 volved in carrying out activities under section

1 101, particularly providing assistive technology
2 devices and assistive technology services, that
3 accomplish a purpose described in another sub-
4 paragraph of this paragraph;

5 “(E)(i) increase the awareness of laws,
6 regulations, policies, practices, procedures, and
7 organizational structures, that facilitate the
8 availability or provision of assistive technology
9 devices and assistive technology services; and

10 “(ii) facilitate the change of laws, regula-
11 tions, policies, practices, procedures, and orga-
12 nizational structures, that impede the availabil-
13 ity or provision of assistive technology devices
14 or assistive technology services;

15 “(F) increase the probability that individ-
16 uals of all ages who are individuals with disabil-
17 ities will, to the extent appropriate, be able to
18 secure and maintain possession of assistive
19 technology devices as such individuals make the
20 transition between services offered by human
21 service agencies or between settings of daily
22 living;

23 “(G) enhance the skills and competencies
24 of individuals involved in providing assistive

1 technology devices and assistive technology
2 services;

3 “(H) increase awareness and knowledge of
4 the efficacy of assistive technology devices, and
5 assistive technology services, among—

6 “(i) individuals with disabilities;

7 “(ii) the parents, family members,
8 guardians, advocates, or authorized rep-
9 resentatives of individuals with disabilities;

10 “(iii) individuals who work for public
11 agencies, or for private entities (including
12 insurers), that have contact with individ-
13 uals with disabilities;

14 “(iv) educators and related services
15 personnel;

16 “(v) employers; and

17 “(vi) other appropriate individuals
18 and entities;

19 “(I) increase the capacity of public entities
20 and private entities to provide and pay for
21 assistive technology devices and assistive tech-
22 nology services, on a statewide basis for individ-
23 uals of all ages who are individuals with disabil-
24 ities; and

1 “(J) increase the awareness of the needs of
2 individuals with disabilities for assistive tech-
3 nology devices and for assistive technology serv-
4 ices.”.

5 (d) POLICY.—At the end of section 2, add the follow-
6 ing new subsection:

7 “(c) POLICY.—It is the policy of the United States
8 that all programs, projects, and activities receiving assist-
9 ance under this Act shall be carried out in a manner con-
10 sistent with the principles of—

11 “(1) respect for individual dignity, personal re-
12 sponsibility, self-determination, and pursuit of mean-
13 ingful careers, based on informed choice, of individ-
14 uals with disabilities;

15 “(2) respect for the privacy, rights, and equal
16 access (including the use of accessible formats), of
17 the individuals;

18 “(3) inclusion, integration, and full participa-
19 tion of the individuals;

20 “(4) support for the involvement of a parent, a
21 family member, a guardian, an advocate, or an au-
22 thorized representative if an individual with a dis-
23 ability requests, desires, or needs such support; and

24 “(5) support for individual and systemic advo-
25 cacy and community involvement.”.

1 **SEC. 4. DEFINITIONS.**

2 Section 3 (29 U.S.C. 2202) is amended—

3 (1) in paragraph (2)(E), by striking “for an in-
4 dividual” and all that follows and inserting the fol-
5 lowing “for an individual with a disability, or, where
6 appropriate, the parent, family member, guardian,
7 advocate, or authorized representative of an individ-
8 ual with a disability; and”;

9 (2) by redesignating paragraphs (3) through
10 (8) as paragraphs (6), (7), (9), (10), (12), and (13),
11 respectively;

12 (3) by inserting after paragraph (2) the follow-
13 ing new paragraphs:

14 “(3) CONSUMER-RESPONSIVE COMPREHENSIVE
15 STATEWIDE PROGRAM OF TECHNOLOGY-RELATED
16 ASSISTANCE.—The term ‘consumer-responsive com-
17 prehensive statewide program of technology-related
18 assistance’ means a statewide program of tech-
19 nology-related assistance developed and implemented
20 by a State under title I that—

21 “(A) is consumer-responsive; and

22 “(B)(i) addresses the needs of all individ-
23 uals with disabilities, including underserved
24 groups, who can benefit from the use of
25 assistive technology devices and assistive tech-
26 nology services;

1 “(ii) addresses such needs without regard
2 to the age, type of disability, race, ethnicity, or
3 gender of such individuals, or the particular
4 major life activity for which such individuals
5 need the assistance; and

6 “(iii) addresses such needs without requir-
7 ing that the assistance be provided through any
8 particular agency or service delivery system.

9 “(4) CONSUMER-RESPONSIVE.—The term
10 ‘consumer-responsive’ means, with respect to an en-
11 tity or program, that the entity or program—

12 “(A) is easily accessible to and usable by
13 individuals with disabilities and, when appro-
14 priate, the parents, family members, guardians,
15 advocates, or authorized representatives of such
16 individuals;

17 “(B) responds to the needs of individuals
18 with disabilities in a timely and appropriate
19 manner; and

20 “(C) facilitates the full and meaningful
21 participation of individuals with disabilities in—

22 “(i) decisions relating to the provision
23 of assistive technology devices and assistive
24 technology services to such individuals; and

1 “(ii) the planning, development, im-
2 plementation, and evaluation of the
3 consumer-responsive comprehensive state-
4 wide program of technology-related assist-
5 ance for individuals with disabilities.

6 “(5) DISABILITY.—The term ‘disability’ means
7 a condition considered to be a disability or handicap
8 for the purposes of any Federal law other than this
9 Act or for the purposes of the law of the State in-
10 volved.”;

11 (4) in paragraph (6) (as redesignated by para-
12 graph (2) of this subsection), to read as follows:

13 “(6) INDIVIDUAL WITH A DISABILITY; INDIVID-
14 UALS WITH DISABILITIES.—

15 “(A) INDIVIDUAL WITH A DISABILITY.—
16 The term ‘individual with a disability’ means
17 any individual—

18 “(i) who is considered to have a dis-
19 ability for the purposes of any Federal law
20 other than this Act or for the purposes of
21 the law of the State in which the individual
22 resides; and

23 “(ii) who is or would be enabled by
24 assistive technology devices to achieve

25 substantially equivalent results to those achieved by

1 functioning or to achieve a greater level of
2 functioning in any major life activity.

3 “(B) INDIVIDUALS WITH DISABILITIES.—

4 The term ‘individuals with disabilities’ means
5 more than one individual with a disability.”;

6 (5) in paragraph (7) (as redesignated by para-
7 graph (2) of this subsection) by striking “section
8 435(b)” and inserting “section 481”;

9 (6) by inserting after such paragraph (7) the
10 following new paragraph:

11 “(8) PROTECTION AND ADVOCACY SERVICES.—

12 The term ‘protection and advocacy services’ means
13 services that—

14 “(A) are described in part C of the Devel-
15 opmental Disabilities Assistance and Bill of
16 Rights Act (42 U.S.C. 6041 et seq.), the Pro-
17 tection and Advocacy for Mentally Ill Individ-
18 uals Act (42 U.S.C. 10801 et seq.), or section
19 509 of the Rehabilitation Act of 1973 (29
20 U.S.C. 794e); and

21 “(B) assist individuals with disabilities, or
22 the parents, family members, guardians, advo-
23 cates, or authorized representatives of the indi-
24 viduals, with respect to assistive technology de-
25 vices and assistive technology services.”;

(7) in paragraph (10) (as redesignated by paragraph (2) of this subsection)—

(A) by striking “several States” and inserting “several States of the United States”;

(B) by striking “Virgin Islands” and inserting “United States Virgin Islands”; and

(C) by striking “the Trust Territory of the Pacific Islands” and inserting “the Republic of Palau (until the Compact of Free Association with Palau takes effect)”;

(8) by inserting after such paragraph (10) the following new paragraph:

“(11) SYSTEMIC CHANGE.—The term ‘systemic change’ means efforts that result in public or private agencies and organizations having greater capacity or enhanced ability to be consumer-responsive and provide funding for or access to assistive technology devices and assistive technology services, or otherwise increase the availability of such technology, to benefit individuals with disabilities, or the parents, family members, guardians, advocates, or authorized representatives of such individuals on a permanent basis.”; and

(9) in paragraph (12) (as redesignated by paragraph (2) of this subsection)—

- 1 (A) by striking “functions performed and”;
 2 and
 3 (B) by inserting “any of subparagraphs
 4 (A) through (J) of” before “section 2(b)(1)”.

5 **TITLE I—GRANTS TO STATES**

6 **SEC. 101. PROGRAM AUTHORIZED.**

7 (a) GRANTS TO STATES.—Section 101(a) (29 U.S.C.
 8 2211(a)) is amended—

9 (1) by inserting after “provisions of this title”
 10 the following: “to support systemic change and advoca-
 11 cacy activities designed”; and

12 (2) by striking “to develop and implement” and
 13 inserting “in developing and implementing”.

14 (b) ACTIVITIES.—Section 101 is amended by striking
 15 subsections (b) and (c) and inserting the following:

16 “(b) ACTIVITIES.—

17 “(1) USE OF FUNDS.—

18 “(A) IN GENERAL.—Any State that re-
 19 ceives a grant under section 102 or 103 shall
 20 use the funds made available through the grant
 21 to accomplish the purposes described in section
 22 2(b)(1) by carrying out any of the systemic
 23 change and advocacy activities described in
 24 paragraphs (2) through (12) in a manner that
 25 is consumer-responsive.

“(B) PARTICULAR ACTIVITIES.—In carrying out such systemic change and advocacy activities, the State shall particularly carry out activities regarding—

“(i) the development, implementation, and monitoring of State, regional, and local laws, regulations, policies, practices, procedures, and organizational structures, that will improve access to and funding for assistive technology devices and assistive technology services;

“(ii) the development and implementation of strategies to overcome barriers to funding of such devices and services, with particular emphasis on addressing the needs of underserved groups; and

“(iii) the development and implementation of strategies to enhance the ability of individuals with disabilities, and the parents, family members, guardians, advocates, and authorized representatives of such individuals, to successfully advocate for access to and funding for assistive technology devices and assistive technology services.

1 “(2) ACCESS TO AND FUNDING FOR ASSISTIVE
2 TECHNOLOGY.—The State may support activities to
3 increase access to and funding for assistive tech-
4 nology, including—

5 “(A) the identification of barriers to fund-
6 ing of assistive technology devices and assistive
7 technology services for individuals of all ages
8 who are individuals with disabilities, with prior-
9 ity for identification of barriers to funding
10 through State special education services, voca-
11 tional rehabilitation services, and medical as-
12 sistance services or, as appropriate, other health
13 and human services; and

14 “(B) the development, and evaluation of
15 the efficacy, of model delivery systems that pro-
16 vide assistive technology devices and assistive
17 technology services to individuals with disabili-
18 ties, that pay for such devices and services, and
19 that, if successful, could be replicated or gen-
20 erally applied, such as—

21 “(i) the development of systems for
22 the purchase, lease, other acquisition, or
23 payment for the provision, of assistive
24 technology devices and assistive technology
25 services; and

1 “(ii) the establishment of alternative
2 State or privately financed systems of sub-
3 sidies for the provision of assistive tech-
4 nology devices and assistive technology
5 services, such as—

6 “(I) a loan system for assistive
7 technology devices (including assistive
8 technology demonstration and recy-
9 cling centers);

10 “(II) an income-contingent loan
11 fund;

12 “(III) a low-interest loan fund;

13 “(IV) a revolving loan fund;

14 “(V) a loan insurance program;

15 and

16 “(VI) a partnership with private
17 entities for the purchase, lease, or
18 other acquisition of assistive tech-
19 nology devices and the provision of
20 assistive technology services.

21 “(3) REPRESENTATION.—The State may sup-
22 port individual case management or representation
23 of individuals with disabilities to secure their rights
24 to assistive technology devices and assistive tech-
25 nology services.

1 “(4) INTERAGENCY COORDINATION.—The State
2 may support activities—

3 “(A) to identify and coordinate Federal
4 and State policies, resources, and services, re-
5 lating to the provision of assistive technology
6 devices and assistive technology services, for in-
7 dividuals with disabilities, including entering
8 into interagency agreements;

9 “(B) to support the establishment or con-
10 tinuation of partnerships and cooperative initia-
11 tives among public sector agencies and between
12 the public sector and the private sector to facili-
13 tate the development and implementation of a
14 consumer-responsive comprehensive statewide
15 program of technology-related assistance for in-
16 dividuals with disabilities;

17 “(C) to convene interagency work groups
18 to enhance public funding options and coordi-
19 nate access to funding for assistive technology
20 devices and assistive technology services for in-
21 dividuals of all ages who are individuals with
22 disabilities, with special attention to the issues
23 of transition, home use, and individual involve-
24 ment in the identification, planning, use, deliv-

ery, and evaluation of such devices and services;
or

“(D) to document and disseminate information about interagency activities that promote coordination with respect to assistive technology services and assistive technology devices, including evidence of increased participation of State and local special education, vocational rehabilitation, and State medical assistance agencies and departments.

“(5) STATEWIDE NEEDS ASSESSMENT.—The State may conduct a statewide needs assessment, which may be based on data in existence on the date on which the assessment is initiated and may include—

“(A) estimates of the numbers of individuals with disabilities within the State, categorized by residence, type and extent of disabilities, age, race, gender, and ethnicity;

“(B) in the case of an assessment carried out under a development grant, a description of efforts, during the fiscal year preceding the first fiscal year for which the State received such a grant, to provide assistive technology devices and assistive technology services to indi-

1 viduals with disabilities within the State,
2 including—

3 “(i) the number of individuals with
4 disabilities who received appropriate
5 assistive technology devices and assistive
6 technology services; and

7 “(ii) a description of the devices and
8 services provided;

9 “(C) information on the number of individ-
10 uals with disabilities who are in need of
11 assistive technology devices and assistive tech-
12 nology services, and a description of the devices
13 and services needed;

14 “(D) information on the cost of providing
15 assistive technology devices and assistive tech-
16 nology services to all individuals with disabil-
17 ities within the State who need such devices
18 and services;

19 “(E) a description of State and local public
20 resources and private resources (including in-
21 surance) that are available to establish a
22 consumer-responsive comprehensive statewide
23 program of technology-related assistance for in-
24 dividuals with disabilities;

1 “(F) information identifying Federal and
2 State laws, regulations, policies, practices, pro-
3 cedures, and organizational structures, that fa-
4 cilitate or interfere with the operation of a
5 consumer-responsive comprehensive statewide
6 program of technology-related assistance;

7 “(G) a description of the procurement poli-
8 cies of the State and the extent to which such
9 policies will ensure, to the extent practicable,
10 that assistive technology devices purchased,
11 leased, or otherwise acquired with assistance
12 made available through a grant made under
13 section 102 or 103 are compatible with other
14 technology devices, including technology devices
15 designed primarily for use by—

16 “(i) individuals who are not individ-
17 uals with disabilities;

18 “(ii) individuals who are elderly; or

19 “(iii) individuals with particular dis-
20 abilities; and

21 “(H) information resulting from an inquiry
22 about whether a State agency or a task force
23 (composed of individuals representing the State
24 and individuals representing the private sector)
25 should study the practices of private insurance

1 companies holding licenses within the State that
2 offer health or disability insurance policies
3 under which an individual may obtain reim-
4 bursement for—

5 “(i) the purchase, lease, or other ac-
6 quisition of assistive technology devices; or

7 “(ii) the use of assistive technology
8 services.

9 “(6) OUTREACH.—The State may provide as-
10 sistance to statewide and community-based organiza-
11 tions, or systems, that provide assistive technology
12 devices and assistive technology services to individ-
13 uals with disabilities. Such assistance may include
14 outreach to consumer organizations and groups in
15 the State to coordinate the activities of the organiza-
16 tions and groups with consumer-driven efforts (in-
17 cluding self-help, support groups, and peer
18 mentoring) to assist individuals with disabilities, or
19 the parents, family members, guardians, advocates,
20 or authorized representatives of the individuals, to
21 obtain funding for and access to assistive technology
22 devices and assistive technology services.

23 “(7) PUBLIC AWARENESS PROGRAM.—

24 “(A) IN GENERAL.—The State may—

1 “(i) support a public awareness pro-
2 gram designed to provide information re-
3 lating to the availability and efficacy of
4 assistive technology devices and assistive
5 technology services for—

6 “(I) individuals with disabilities;

7 “(II) the parents, family mem-
8 bers, guardians, advocates, or author-
9 ized representatives of such individ-
10 uals;

11 “(III) individuals who work for
12 public agencies, or for private entities
13 (including insurers), that have contact
14 with individuals with disabilities;

15 “(IV) educators and related serv-
16 ices personnel;

17 “(V) employers; and

18 “(VI) other appropriate individ-
19 uals and entities; or

20 “(ii) establish and support such a pro-
21 gram if no such program exists.

22 “(B) CONTENTS.—Such a program may
23 include—

24 “(i) the development and dissemina-
25 tion of information relating to—

1 “(I) the nature of assistive tech-
2 nology devices and assistive tech-
3 nology services;

4 “(II) the appropriateness, cost,
5 and availability of, and access to
6 assistive technology devices and
7 assistive technology services; and

8 “(III) the efficacy of assistive
9 technology devices and assistive tech-
10 nology services with respect to en-
11 hancing the capacity of individuals
12 with disabilities;

13 “(ii) the development of procedures
14 for providing direct communication among
15 public providers of assistive technology de-
16 vices and assistive technology services and
17 between public providers and private pro-
18 viders of such devices and services (includ-
19 ing employers); and

20 “(iii) the development and dissemina-
21 tion of information relating to—

22 “(I) use of the program by indi-
23 viduals with disabilities, the parents,
24 family members, guardians, advocates,
25 or authorized representatives of such

1 individuals, professionals who work in
2 a field related to an activity described
3 in this section, and other appropriate
4 individuals; and

5 “(II) the nature of the inquiries
6 made by the persons described in
7 subclause (I).

8 “(8) TRAINING AND TECHNICAL ASSISTANCE.—

9 The State may carry out directly, or may provide
10 support to a public or private entity to carry out,
11 training and technical assistance activities—

12 “(A) that—

13 “(i) are provided for individuals with
14 disabilities, the parents, family members,
15 guardians, advocates, and authorized rep-
16 resentatives of the individuals, and other
17 appropriate individuals; and

18 “(ii) may include—

19 “(I) training in the use of
20 assistive technology devices and
21 assistive technology services;

22 “(II) the development of written
23 materials, training, and technical as-
24 sistance describing the means by
25 which agencies consider the needs of

1 an individual with a disability for
2 assistive technology devices and
3 assistive technology services in devel-
4 oping, for the individual, any individ-
5 ualized education program described
6 in section 614(a)(5) of the Individuals
7 with Disabilities Education Act (20
8 U.S.C. 1414(a)(5)), any individualized
9 written rehabilitation program de-
10 scribed in section 102 of the Rehabili-
11 tation Act of 1973 (29 U.S.C. 722),
12 any individualized family service plan
13 described in section 677 of the Indi-
14 viduals with Disabilities Education
15 Act (20 U.S.C. 1477), and any other
16 individualized plans or programs;

17 “(III) training regarding the
18 rights of the persons described in
19 clause (i) to assistive technology de-
20 vices and assistive technology services
21 under public laws and regulations in
22 existence at the time of the training,
23 to promote fuller independence, pro-
24 ductivity, and inclusion in and inte-

1 gration into society of such persons;
2 and

3 “(IV) training to increase
4 consumer participation in the identi-
5 fication, planning, use, delivery, and
6 evaluation of assistive technology de-
7 vices and assistive technology services;
8 and

9 “(B) that—

10 “(i) enhance the assistive technology
11 skills and competencies of—

12 “(I) individuals who work for
13 public agencies, or for private entities
14 (including insurers), that have contact
15 with individuals with disabilities;

16 “(II) educators and related serv-
17 ices personnel;

18 “(III) employers; and

19 “(IV) other appropriate person-
20 nel; and

21 “(ii) include—

22 “(I) developing and implementing
23 strategies for including such training
24 within State training initiatives; and

1 “(II) taking actions to facilitate
2 the development of standards, or,
3 when appropriate, the application of
4 such standards, to ensure the avail-
5 ability of qualified personnel.

6 “(9) PROGRAM DATA.—The State may support
7 the compilation and evaluation of appropriate data
8 related to a program described in subsection (a).

9 “(10) ACCESS TO TECHNOLOGY-RELATED IN-
10 FORMATION.—

11 “(A) IN GENERAL.—The State may de-
12 velop, operate, or expand a system for public
13 access to information concerning an activity
14 carried out under another paragraph of this
15 subsection, including information about
16 assistive technology devices and assistive tech-
17 nology services, funding sources and costs of
18 such assistance, and individuals, organizations,
19 and agencies capable of carrying out such an
20 activity for individuals with disabilities.

21 “(B) SYSTEM.—In developing, operating,
22 or expanding a system described in subpara-
23 graph (A), the State may—

24 “(i) develop, compile, and categorize
25 print, braille, audio, and video materials,

1 and materials in electronic formats, con-
2 taining the information described in sub-
3 paragraph (A);

4 “(ii) identify and classify existing
5 funding sources, and the conditions of and
6 criteria for access to such sources, includ-
7 ing any funding mechanisms or strategies
8 developed by the State;

9 “(iii) identify existing support groups
10 and systems designed to help individuals
11 with disabilities make effective use of an
12 activity carried out under another para-
13 graph of this subsection; and

14 “(iv) maintain a record of the extent
15 to which citizens of the State use or make
16 inquiries of the system established in sub-
17 paragraph (A), and of the nature of such
18 inquiries.

19 “(11) INTERSTATE AGREEMENTS.—The State
20 may enter into cooperative agreements with other
21 States to expand the capacity of the States involved
22 to assist individuals of all ages who are individuals
23 with disabilities to learn about, acquire, use, main-
24 tain, adapt, and upgrade assistive technology devices
25 and assistive technology services that such individ-

1 uals need at home, at school, at work, or in other
2 environments that are part of daily living.

3 “(12) OTHER ACTIVITIES.—The State may uti-
4 lize amounts made available through grants made
5 under section 102 or 103 for any systemic change
6 and advocacy activities, other than the activities de-
7 scribed in another paragraph of this subsection, that
8 are necessary for developing, implementing, or evalu-
9 ating the consumer-responsive comprehensive state-
10 wide program of technology-related assistance.”.

11 (c) CONFORMING AMENDMENT.—Section 231(b)(1)
12 is amended by striking “section 101(c)(1)” and inserting
13 “section 101(b)(2)(B)”.

14 **SEC. 102. DEVELOPMENT GRANTS.**

15 Section 102 (29 U.S.C. 2212) is amended—

16 (1) in subsection (a)—

17 (A) by striking “3-year grants” and insert-
18 ing “3-year grants to support systemic change
19 and advocacy activities described in section
20 101(b)”;

21 (B) by striking “to develop and implement
22 statewide programs” and inserting “in develop-
23 ing and implementing consumer-responsive
24 comprehensive statewide programs”;

25 (2) by striking subsection (b);

1 (3) by redesignating subsections (c) and (d) as
2 subsections (b) and (c), respectively;

3 (4) in subsection (b) (as redesignated in para-
4 graph (3) of this section)—

5 (A) in paragraph (3)(C), by striking
6 “statewide program” and inserting “consumer-
7 responsive comprehensive statewide program”;
8 and

9 (B) in paragraph (5)—

10 (i) in subparagraph (A)—

11 (I) by striking “(A)” and insert-
12 ing “(A) STATE.—”;

13 (II) by inserting “United States”
14 before “Virgin Islands”; and

15 (III) by striking “Trust Territory
16 of the Pacific Islands” and inserting
17 “Republic of Palau”; and

18 (ii) in subparagraph (B)—

19 (I) by striking “(B)” and insert-
20 ing “(B) TERRITORY.—”;

21 (II) by inserting “United States”
22 before “Virgin Islands”; and

23 (III) by striking “Trust Territory
24 of the Pacific Islands” and inserting
25 “Republic of Palau (until the Com-

1 pact of Free Association takes ef-
2 fect)”;

3 (5) in paragraph (2) of subsection (c) (as redes-
4 ignated in paragraph (3) of this section) by striking
5 “statewide programs” and inserting “consumer-re-
6 sponsive comprehensive statewide programs”;

7 (6) by inserting after such subsection (c) the
8 following:

9 “(d) DESIGNATION OF THE LEAD AGENCY.—

10 “(1) DESIGNATION.—In each State that desires
11 to receive a grant under this section, the Governor
12 shall designate a lead agency responsible for—

13 “(A) submitting the application described
14 in subsection (e) on behalf of the State;

15 “(B) administering and supervising the use
16 of amounts made available under the grant;

17 “(C)(i) coordinating efforts related to, and
18 supervising the preparation of the application;

19 “(ii) coordinating the planning, develop-
20 ment, and implementation of the consumer-re-
21 sponsive comprehensive statewide program of
22 technology-related assistance among public
23 agencies and between public agencies and pri-
24 vate agencies, including coordinating efforts re-

1 lated to entering into interagency agreements;
2 and

3 “(iii) coordinating efforts related to, and
4 supervising, the active, timely, and meaningful
5 participation by individuals with disabilities, the
6 parents, family members, guardians, advocates,
7 or authorized representatives of such individ-
8 uals, and other appropriate individuals, with re-
9 spect to activities carried out under the grant;
10 and

11 “(D) the delegation, in whole or in part, of
12 any responsibilities described in subparagraph
13 (A), (B), or (C) to one or more appropriate of-
14 fices, agencies, entities, or individuals.

15 “(2) QUALIFICATIONS.—In designating the lead
16 agency, the Governor—

17 “(A) may designate—

18 “(i) a commission appointed by the
19 Governor;

20 “(ii) a public-private partnership or
21 consortium;

22 “(iii) a university-affiliated program;

23 “(iv) a public agency;

24 “(v) a council established under Fed-
25 eral or State law; or

1 “(vi) another appropriate office, agen-
2 cy, entity, or individual; and

3 “(B) shall designate an entity that pro-
4 vides evidence of ability to—

5 “(i) respond to needs of individuals
6 with disabilities who represent a variety of
7 ages and types of disabilities;

8 “(ii) respond statewide to the assistive
9 technology needs of individuals with dis-
10 abilities;

11 “(iii) promote and accomplish sys-
12 temic change;

13 “(iv) promote and accomplish the es-
14 tablishment of public-private partnerships;

15 “(v) exercise leadership in identifying
16 and responding to the technology needs of
17 individuals with disabilities and the par-
18 ents, family members, guardians, advo-
19 cates, and authorized representatives of
20 such individuals;

21 “(vi) document consumer confidence
22 in, and responsiveness to, the consumer-re-
23 sponsive comprehensive statewide program
24 of technology-related assistance; and

“(vii) exercise leadership in implementing effective strategies for capacity building and training for appropriate entities, and enhancement of interagency coordination of activities related to funding for assistive technology devices and assistive technology services.”;

(7) in subsection (e)—

(A) by striking paragraphs (1), (2), and (3) and inserting the following:

“(1) DESIGNATION OF THE LEAD AGENCY.—Information identifying the lead agency designated by the Governor under subsection (d).

“(2) AGENCY INVOLVEMENT.—A description of the nature and extent of involvement of various State agencies, including the State insurance department, in the preparation of the application and the continuing role of each such agency in the development, implementation, and evaluation of the consumer-responsive comprehensive statewide program of technology-related assistance, including a description of the process used by each agency for providing access to and funding for assistive technology devices and assistive technology services.

“(3) INVOLVEMENT.—

1 “(A) CONSUMER INVOLVEMENT.—A de-
2 scription of procedures that—

3 “(i) provide for—

4 “(I) the active involvement of in-
5 dividuals with disabilities, the parents,
6 family members, guardians, advocates,
7 and authorized representatives of the
8 individuals, and other appropriate in-
9 dividuals, in the development, imple-
10 mentation, and evaluation of the pro-
11 gram; and

12 “(II) the active involvement, to
13 the maximum extent appropriate, of
14 individuals with disabilities who use
15 assistive technology devices and
16 assistive technology services, in deci-
17 sions relating to such devices and
18 services; and

19 “(ii) shall include—

20 “(I) mechanisms to provide sup-
21 port for the expenses related to such
22 involvement of individuals with dis-
23 abilities, including payment of travel
24 expenses, qualified interpreters, read-
25 ers, personal care assistants, or other

1 similar services and action necessary
2 to ensure participation by such indi-
3 viduals; and

4 “(II) mechanisms for determin-
5 ing consumer satisfaction and partici-
6 pation of individuals with disabilities
7 who represent a variety of ages and
8 types of disabilities, in the consumer-
9 responsive comprehensive statewide
10 program of technology-related assist-
11 ance.

12 “(B) PUBLIC INVOLVEMENT.—A descrip-
13 tion of the nature and extent of—

14 “(i) the involvement of—

15 “(I) individuals with disabilities;

16 “(II) the parents, family mem-
17 bers, guardians, advocates, or author-
18 ized representatives of such individ-
19 uals;

20 “(III) other appropriate individ-
21 uals who are not employed by a State
22 agency; and

23 “(IV) organizations, providers,
24 and interested parties, in the private
25 sector,

1 in the designation of the lead agency under
2 subsection (d), and in the development of
3 the application; and

4 “(ii) the continuing role of the individ-
5 uals and entities described in clause (i) in
6 the program.”;

7 (B) in paragraphs (4) and (5), by striking
8 “statewide program” each place the term ap-
9 pears and inserting “consumer-responsive com-
10 prehensive statewide program”;

11 (C) by striking paragraphs (6) and (7) and
12 inserting the following:

13 “(6) GOALS, OBJECTIVES, ACTIVITIES, AND
14 OUTCOMES.—Information on the program to be car-
15 ried out under the grant with respect to—

16 “(A) the goals and objectives of the State
17 for the program;

18 “(B) the systemic change and advocacy ac-
19 tivities described in section 101(b) that the
20 State plans to carry out under the program, in-
21 cluding, at a minimum, activities related to ac-
22 cess to, and funding for, assistive technology
23 devices and assistive technology services, case
24 management or representation, and interagency
25 coordination as described in section 101(b), un-

1 less the State demonstrates through the
2 progress reports required under section 104
3 that—

4 “(i) significant progress has been
5 made in the development and implementa-
6 tion of such a program; and

7 “(ii) other systemic change and advo-
8 cacy activities described in section 101(b)
9 will increase the likelihood that the pro-
10 gram will accomplish the purposes set out
11 in 2(b)(1); and

12 “(C) the expected outcomes of the State
13 for the program,
14 consistent with the purposes described in section
15 2(b)(1).

16 “(7) DATA COLLECTION AND EVALUATIONS.—A
17 description of—

18 “(A) the data¹ collection system used for
19 compiling information about the program, con-
20 sistent with such requirements as the Secretary
21 may establish for such system, and, to the ex-
22 tent that a national classification system is de-
23 veloped pursuant to section 201, consistent with
24 such classification system; and

1 “(B) the procedures that will be used to
2 conduct evaluations of the program.”;

3 (D) in paragraphs (11)(B)(i) and (12)(B)
4 by striking “individual with disabilities” and in-
5 serting “individual with a disability”;

6 (E) in paragraph (16)(A), by striking
7 “families or representatives” and inserting
8 “parents, family members, guardians, advo-
9 cates, or authorized representatives”;

10 (F) by redesignating paragraph (17) as
11 paragraph (22); and

12 (G) by inserting after paragraph (16) the
13 following new paragraphs:

14 “(17) AUTHORITY TO USE FUNDS.—An assur-
15 ance that the lead agency designated under sub-
16 section (d) will have the authority to use funds made
17 available through a grant made under section 102 or
18 103 to comply with the requirements of section 102
19 or 103, respectively, including the ability to hire
20 qualified staff necessary to carry out activities under
21 the program.

22 “(18) PROTECTION AND ADVOCACY SERV-
23 ICES.—Either—

24 “(A) an assurance that the State will an-
25 nually provide, from the funds made available

1 to the State through a grant made under sec-
2 tion 102 or 103, not less than an amount equal
3 to the lesser of—

4 “(i) \$75,000; or

5 “(ii) 10 percent of such funds,

6 in order to make a grant or enter into a con-
7 tract to support protection and advocacy serv-
8 ices to assist individuals with disabilities in re-
9 ceiving appropriate assistive technology devices
10 and assistive technology services through the
11 systems established to provide protection and
12 advocacy under the Developmental Disabilities
13 Assistance and Bill of Rights Act (42 U.S.C.
14 6000 et seq.), the Protection and Advocacy for
15 Mentally Ill Individuals Act (42 U.S.C. 10801
16 et seq.), and section 509 of the Rehabilitation
17 Act of 1973 (29 U.S.C. 794e); or

18 “(B) at the discretion of the State, a re-
19 quest that the Secretary annually reserve, from
20 the funds made available to the State through
21 a grant made under section 102 or 103, not
22 less than the amount described in subparagraph
23 (A) in order for the Secretary to make a grant
24 or enter into a contract to support the protec-
25 tion and advocacy services described in sub-

1 paragraph (A) through entities described in
2 subparagraph (A).

3 “(19) LIMIT ON INDIRECT COSTS.—An assur-
4 ance that the State will not use more than 8 percent
5 of the funds made available to the State through a
6 grant made under section 102 or 103 for the indi-
7 rect costs of the program.

8 “(20) COORDINATION WITH STATE
9 COUNCILS.—An assurance that the lead agency will
10 coordinate the activities funded through a grant
11 made under section 102 or 103 with the activities
12 carried out by other councils within the State,
13 including—

14 “(A) any council or commission specified
15 in the assurance provided by the State in ac-
16 cordance with section 101(36) of the Rehabili-
17 tation Act of 1973 (29 U.S.C. 721(36));

18 “(B) the Statewide Independent Living
19 Council established under section 705 of the
20 Rehabilitation Act (29 U.S.C. 796d);

21 “(C) the advisory panel established under
22 section 613(a)(12) of the Individuals with Dis-
23 abilities Education Act (20 U.S.C.
24 1413(a)(12));

1 “(D) the State Planning Council described
2 in section 124 of the Developmental Disabilities
3 Assistance and Bill of Rights Act (42 U.S.C.
4 6024);

5 “(E) the State mental health planning
6 council established under section 1914 of the
7 Public Health Service Act (42 U.S.C. 300x-3);
8 and

9 “(F) any council established under section
10 204, 206(g)(2)(A), or 712(a)(3)(H) of the
11 Older Americans Act of 1965 (42 U.S.C. 3015,
12 3017(g)(2)(A), and 3058g(a)(3)(H).

13 “(21) COORDINATION WITH OTHER SYSTEMIC
14 CHANGE PROJECTS.—An assurance that the lead
15 agency will coordinate the activities funded through
16 a grant made under section 102 or 103 with the ac-
17 tivities carried out by other systemic change projects
18 funded through Federal or State sources.”; and

19 (8) by adding at the end the following:

20 “(f) PROTECTION AND ADVOCACY REQUIREMENTS.—

21 “(1) REQUIREMENTS.—A State that, as of
22 June 30, 1993, has provided for protection and ad-
23 vocacy services through a program that—

24 “(A) is comparable to the program de-
25 scribed in subsection (e)(18); and

1 “(B) is not carried out by an entity de-
2 scribed in such subsection,
3 shall be considered to meet the requirements of such
4 subsection.

5 “(2) PROTECTION AND ADVOCACY SERVICE
6 PROVIDER REPORT.—

7 “(A) PREPARATION.—An entity that re-
8 ceives funds reserved under subsection
9 (e)(18)(B) to carry out the protection and advo-
10 cacy services described in subsection (e)(18)(A)
11 in a State shall prepare reports that—

12 “(i) describe the activities carried out
13 by the entity with such funds; and

14 “(ii) contain such additional informa-
15 tion as the Secretary may require.

16 “(B) SUBMISSION.—The entity shall sub-
17 mit the reports to the program described in
18 subsection (a) in the State not less often than
19 every 6 months.

20 “(C) UPDATES.—The entity shall provide
21 monthly updates to the program described in
22 subsection (a) concerning the activities and in-
23 formation described in subparagraph (A).

24 “(3) CONSULTATION WITH STATE PROGRAMS.—
25 Before making a grant or entering into a contract

1 under subsection (e)(18)(B) to support the protec-
 2 tion and advocacy services described in subsection
 3 (e)(18)(A) in a State, the Secretary shall solicit and
 4 consider the opinions of the lead agency designated
 5 under subsection (d) in the State with respect to the
 6 terms of the grant or contract.”.

7 **SEC. 103. EXTENSION GRANTS.**

8 Section 103 (29 U.S.C. 2213) is amended to read as
 9 follows:

10 **“SEC. 103. EXTENSION GRANTS.**

11 **“(a) EXTENSION GRANTS.—**

12 **“(1) INITIAL EXTENSION GRANT.—**The Sec-
 13 retary may award an initial 2-year extension grant
 14 to any State that meets the standards specified in
 15 subsection (b)(1).

16 **“(2) ADDITIONAL EXTENSION GRANT.—**The
 17 Secretary may award an additional 3-year extension
 18 grant to any State that meets the standards speci-
 19 fied in subsection (b)(2).

20 **“(b) STANDARDS.—**

21 **“(1) INITIAL EXTENSION GRANT.—**In order for
 22 a State to receive an initial extension grant under
 23 this section, the designated lead agency of the State
 24 shall—

1 “(A) provide the evidence described in sec-
2 tion 102(d)(2)(B); and

3 “(B) demonstrate that the State has made
4 significant progress, and has carried out sys-
5 temic change and advocacy activities described
6 in section 101(b) that have resulted in signifi-
7 cant progress, toward development and the im-
8 plementation of a consumer-responsive com-
9 prehensive statewide program of technology-re-
10 lated assistance, consistent with sections
11 2(b)(1), 101, and 102.

12 “(2) ADDITIONAL EXTENSION GRANT.—In
13 order for a State to receive an additional extension
14 grant under this section, the designated lead agency
15 shall—

16 “(A) provide the evidence and make the
17 demonstration described in paragraph (1);

18 “(B) describe the steps the State has
19 taken or will take to continue on a permanent
20 basis the consumer-responsive comprehensive
21 statewide program of technology-related assist-
22 ance with the ability to maintain, at a mini-
23 mum, the outcomes achieved by the systemic
24 change and advocacy activities; and

1 “(C) identify future funding options and
2 commitments for the program from the public
3 and private sector and the key individuals,
4 agencies, and organizations to be involved in,
5 and to direct future efforts of, the program.

6 “(c) AMOUNTS OF GRANTS.—

7 “(1) IN GENERAL.—

8 “(A) STATES.—From amounts appro-
9 priated under section 106 for any fiscal year,
10 the Secretary shall pay to each State that re-
11 ceives a grant under this section an amount
12 that is not less than \$500,000 and not more
13 than \$1,500,000.

14 “(B) TERRITORIES.—From amounts ap-
15 propriated under section 106 for any fiscal
16 year, the Secretary shall pay to each territory
17 that receives a grant under this section an
18 amount that is not more than \$150,000.

19 “(C) DEFINITIONS.—For purposes of this
20 paragraph:

21 “(i) STATE.—The term ‘State’ does
22 not include the United States Virgin Is-
23 lands, Guam, American Samoa, the Com-
24 monwealth of the Northern Mariana Is-
25 lands, or the Republic of Palau.

1 “(ii) TERRITORY.—The term ‘terri-
 2 tory’ means the United States Virgin Is-
 3 lands, Guam, American Samoa, the Com-
 4 monwealth of the Northern Mariana Is-
 5 lands, and the Republic of Palau (until the
 6 Compact of Free Association takes effect).

7 “(2) CALCULATION OF AMOUNT.—The Sec-
 8 retary shall calculate the amount described in sub-
 9 paragraph (A) or (B) of paragraph (1) with respect
 10 to a State on the basis of—

11 “(A) amounts available for making grants
 12 pursuant to this section;

13 “(B) the population of the State;

14 “(C) the types of assistance to be provided
 15 in the State; and

16 “(D) the amount of resources committed
 17 by the State and available to the State from
 18 other sources.

19 “(3) PRIORITY FOR PREVIOUSLY PARTICIPAT-
 20 ING STATES.—Amounts appropriated in any fiscal
 21 year for purposes of carrying out the provisions of
 22 this section shall first be made available to States
 23 that received grants under this section during the
 24 fiscal year preceding the fiscal year concerned.

1 “(d) APPLICATION.—A State that desires to receive
2 an extension grant under this section shall submit an ap-
3 plication that contains the following information and as-
4 surances with respect to the consumer-responsive com-
5 prehensive statewide program of technology-related assist-
6 ance in the State:

7 “(1) INFORMATION AND ASSURANCES.—The in-
8 formation and assurances described in section
9 102(e), except the preliminary needs assessment de-
10 scribed in section 102(e)(4).

11 “(2) NEEDS; PROBLEMS; STRATEGIES; OUT-
12 REACH.—

13 “(A) NEEDS.—A description of needs re-
14 lating to technology-related assistance of indi-
15 viduals with disabilities (including individuals
16 from underserved groups), the parents, family
17 members, guardians, advocates, or authorized
18 representatives of individuals with disabilities,
19 and other appropriate individuals within the
20 State.

21 “(B) PROBLEMS.—A description of any
22 problems that remain with the development and
23 implementation of a consumer-responsive com-
24 prehensive statewide program of technology-re-
25 lated assistance in the State.

1 “(C) STRATEGIES.—A description of the
2 strategies that the State will pursue during the
3 grant period to remedy the problems with the
4 development and implementation of such a pro-
5 gram.

6 “(D) OUTREACH ACTIVITIES.—A descrip-
7 tion of outreach activities to be conducted by
8 the State, including dissemination of informa-
9 tion to eligible populations, with special atten-
10 tion to underserved groups.

11 “(3) ACTIVITIES AND PROGRESS UNDER PRE-
12 VIOUS GRANT.—A description of—

13 “(A) the specific systemic change and ad-
14 vocacy activities described in section 101(b)
15 carried out under the development grant re-
16 ceived by the State under section 102, or, in the
17 case of an application for a grant under sub-
18 section (a)(2), under an initial extension grant
19 received by the State under this section,
20 including—

21 “(i) a description of State actions that
22 were undertaken to produce systemic
23 change on a permanent basis for individ-
24 uals of all ages who are individuals with
25 disabilities;

1 “(ii) a description of activities under-
2 taken to improve the involvement of indi-
3 viduals with disabilities in the program, in-
4 cluding training and technical assistance
5 efforts to improve individual access to
6 assistive technology devices and assistive
7 technology services as mandated under
8 public laws and regulations as in effect on
9 the date of the application; and

10 “(iii) an evaluation of impact and re-
11 sults of the activities described in clauses
12 (i) and (ii);

13 “(B) the relationship of such systemic
14 change and advocacy activities to the develop-
15 ment and implementation of a consumer-re-
16 sponsive comprehensive statewide program of
17 technology-related assistance; and

18 “(C) the progress made toward the devel-
19 opment and implementation of such a program.

20 “(4) PUBLIC INVOLVEMENT.—

21 “(A) REPORT.—In the case of an applica-
22 tion for a grant under subsection (a)(1), a re-
23 port on the hearing described in subsection
24 (e)(1) or, in the case of an application for a

1 grant under subsection (a)(2), a report on the
2 hearing described in subsection (e)(2).

3 “(B) OTHER STATE ACTIONS.—A descrip-
4 tion of State actions, other than such a hearing,
5 designed to determine the degree of satisfaction
6 of individuals with disabilities, the parents,
7 family members, guardians, advocates, or au-
8 thorized representatives of such individuals,
9 public service providers and private service pro-
10 viders, educators and related services providers,
11 employers, and other appropriate individuals
12 and entities with—

13 “(i) the degree of their ongoing in-
14 volvement in the development and imple-
15 mentation of the consumer-responsive com-
16 prehensive statewide program of tech-
17 nology-related assistance;

18 “(ii) the specific systemic change and
19 advocacy activities described in section
20 101(b) carried out by the State under the
21 development grant or the initial extension
22 grant;

23 “(iii) progress made toward the devel-
24 opment and implementation of a consumer-

1 responsive comprehensive statewide pro-
2 gram of technology-related assistance; and
3 “(iv) the ability of the lead agency to
4 carry out the activities described in section
5 102(d)(2)(B).

6 “(5) COMMENTS.—A summary of any com-
7 ments received concerning the issues described in
8 paragraph (4) and response of the State to such
9 comments, solicited through a public hearing re-
10 ferred to in paragraph (4) or through other means,
11 from individuals affected by the consumer-responsive
12 comprehensive statewide program of technology-re-
13 lated assistance, including—

14 “(A) individuals with disabilities;

15 “(B) the parents, family members, guard-
16 ians, advocates, or authorized representatives of
17 such individuals;

18 “(C) public service providers and private
19 service providers;

20 “(D) educators and related services per-
21 sonnel;

22 “(E) employers; and

23 “(F) other appropriate individuals and en-
24 tities.

1 “(6) COMPATIBILITY AND ACCESSIBILITY OF
2 ELECTRONIC EQUIPMENT.—An assurance that the
3 State will comply with guidelines established under
4 section 508 of the Rehabilitation Act of 1973 (29
5 U.S.C. 794d).

6 “(e) PUBLIC HEARING.—

7 “(1) INITIAL EXTENSION GRANT.—To be eligi-
8 ble to receive a grant under subsection (a)(1), a
9 State shall hold a public hearing in the third year
10 of a program carried out under a grant made under
11 section 102, after providing appropriate and suffi-
12 cient notice to allow interested groups and organiza-
13 tions and all segments of the public an opportunity
14 to comment on the program.

15 “(2) ADDITIONAL EXTENSION GRANT.—To be
16 eligible to receive a grant under subsection (a)(2), a
17 State shall hold a public hearing in the second year
18 of a program carried out under a grant made under
19 subsection (a)(1), after providing the notice de-
20 scribed in paragraph (1).”.

21 **SEC. 104. PROGRESS CRITERIA AND REPORTS.**

22 Section 104 (29 U.S.C. 2214) is amended to read as
23 follows:

1 **"SEC. 104. PROGRESS CRITERIA AND REPORTS.**

2 “(a) REGULATIONS.—The Secretary shall by regula-
3 tion establish criteria for determining, for purposes of this
4 title, whether a State that received a grant under section
5 102 or 103 is making significant progress in developing
6 and implementing a consumer-responsive comprehensive
7 statewide program of technology-related assistance. Such
8 criteria shall include standards for assessing the impact
9 of the systemic change and advocacy activities described
10 in section 101(b) in the State in achieving the purposes
11 described in section 2(b)(1).

12 “(b) REPORTS.—Each State that receives a grant
13 under section 102 or 103 to carry out a program shall
14 submit to the Secretary annually a report that—

15 “(1) documents the significant progress made
16 by the State in developing and implementing the
17 program, consistent with the standards and criteria
18 established under subsection (a); and

19 “(2) includes information on—

20 “(A) identification of the successful sys-
21 temic change and advocacy activities carried out
22 through the program to increase funding for,
23 and access to, assistive technology devices and
24 assistive technology services, including an anal-
25 ysis of laws, regulations, policies, practices, pro-
26 cedures, and organizational structures, that—

1 “(i) have changed as a result of the
2 program to facilitate the acquisition of
3 assistive technology;

4 “(ii) the program has attempted to
5 change during the grant period; or

6 “(iii) need to be changed in the next
7 grant period;

8 “(B) the degree of consumer involvement
9 of individuals with disabilities who represent a
10 variety of ages and type of disabilities, in terms
11 of—

12 “(i) the numbers of consumers in-
13 volved;

14 “(ii) the activities that the consumers
15 are involved in; and

16 “(iii) the outreach activities of the
17 State intended to increase consumer par-
18 ticipation in the consumer-responsive com-
19 prehensive statewide program of tech-
20 nology-related assistance;

21 “(C) the degree of consumer satisfaction
22 with the program;

23 “(D) the degree of involvement of various
24 State agencies, including the State insurance
25 department, in the preparation of the applica-

1 tion for the program and the continuing role of
2 each agency in the development and implemen-
3 tation of the program, including—

4 “(i) a description of the process used
5 by each agency for providing access to and
6 funding for assistive technology devices
7 and assistive technology services; and

8 “(ii) a description of the activities un-
9 dertaken to enhance interagency coordina-
10 tion of the provision of assistive technology
11 devices and assistive technology services;

12 “(E) documentation of efforts to collect
13 and disseminate information on successful ef-
14 forts to secure assistive technology devices and
15 assistive technology services that occurred as a
16 result of systemic change and advocacy activi-
17 ties identified in paragraph (2); and

18 “(F) identification and documentation of
19 State and local laws, regulations, policies, prac-
20 tices, procedures, and organizational structures
21 that have been developed or changed in order to
22 inform individuals with disabilities, or the par-
23 ents, family members, guardians, advocates, or
24 authorized representatives of the individuals, of
25 Federal requirements pertaining to assistive

1 technology devices and assistive technology
2 services, particularly under parts B and H of
3 the Individuals with Disabilities Education Act
4 (20 U.S.C. 1411 et seq. and 1471 et seq.) and
5 title I of the Rehabilitation Act of 1973 (29
6 U.S.C. 720 et seq.).”.

7 **SEC. 105. ADMINISTRATIVE PROVISIONS.**

8 (a) REVIEW OF PARTICIPATING STATES.—Section
9 105(a) (29 U.S.C. 2215(a)) is amended—

10 (1) in paragraph (1), by inserting before the pe-
11 riod the following: “, consistent with the standards
12 and criteria established under section 104(a)”;

13 (2) in paragraph (2), to read as follows:

14 “(2) ONSITE VISITS.—

15 “(A) VISITS.—The Secretary shall conduct
16 an onsite visit during the final year of each
17 State’s participation in the development grant
18 program. The Secretary shall conduct an addi-
19 tional onsite visit to any State that received an
20 extension grant under section 103 and whose
21 initial onsite visit occurred prior to the date of
22 enactment of the Technology-Related Assistance
23 Amendments of 1993.

1 “(B) TEAM.—Two-thirds of the onsite
2 monitoring team in each case shall be qualified
3 peer reviewers, who—

4 “(i) shall not be agency personnel;

5 “(ii) shall be from States other than
6 the State being monitored; and

7 “(iii) shall include an individual with
8 a disability, or a parent, family member,
9 guardian, advocate, or an authorized rep-
10 resentative of such an individual.

11 “(C) COMPENSATION.—

12 “(i) OFFICERS OR EMPLOYEES.—
13 Members of any onsite monitoring team
14 who are officers or full-time employees of
15 the United States shall serve without com-
16 pensation in addition to that received for
17 their services as officers or employees of
18 the United States, but they may be allowed
19 travel expenses, including per diem in lieu
20 of subsistence, as authorized by section
21 5702 of title 5, United States Code, for in-
22 dividuals in the Government service travel-
23 ing on official business.

24 “(ii) OTHER MEMBERS.—Members of
25 any onsite monitoring team who are not of-

1 ficers or full-time employees of the United
2 States shall receive compensation at a rate
3 not to exceed the daily equivalent of the
4 rate of pay for level IV of the Executive
5 Schedule under section 5315 of title 5,
6 United States Code, for each day (includ-
7 ing traveltime) during which such members
8 are engaged in the actual performance of
9 their duties as members of an onsite mon-
10 itoring team. In addition, such members
11 may be allowed travel expenses, including
12 per diem in lieu of subsistence, as author-
13 ized by section 5703 of title 5, United
14 States Code, for individuals in the Govern-
15 ment service employed intermittently.

16 “(D) REPORT.—The Secretary shall pre-
17 pare a report of findings from the onsite visit.
18 The Secretary shall consider the findings in de-
19 termining whether to continue funding the pro-
20 gram either with or without changes. The re-
21 port shall be available to the public.”;

22 (3) by redesignating paragraphs (3) and (4) as
23 paragraphs (4) and (5), respectively;

24 (4) by inserting after paragraph (2) the follow-
25 ing:

1 “(3) ADVANCE PUBLIC NOTICE.—The Secretary
 2 shall provide advance public notice of the onsite visit
 3 and solicit public comment through such notice from
 4 individuals with disabilities, and the parents, family
 5 members, guardians, advocates, and authorized rep-
 6 resentatives of such individuals, public service pro-
 7 viders and private service providers, educators and
 8 related services personnel, employers, and other ap-
 9 propriate individuals and entities, regarding the
 10 State program funded through a grant made under
 11 section 102 or 103. The public comment solicitation
 12 notice shall be included in the onsite visit report de-
 13 scribed in paragraph (2).”; and

14 (5) in paragraph (4) (as redesignated by para-
 15 graph (3) of this subsection) by striking “statewide
 16 program” and inserting “consumer-responsive com-
 17 prehensive statewide program”.

18 (b) CORRECTIVE ACTION PLAN.—Section 105(b) is
 19 amended—

20 (1) in paragraph (2)—

21 (A) in the heading, by striking “PEN-
 22 ALTIES” and inserting “CORRECTIVE ACTIONS”;

23 (B) by striking “or” at the end of subpara-
 24 graph (B);

1 (C) by striking the period at the end of
 2 subparagraph (C) and inserting “; or”; and

3 (D) by adding at the end the following:

4 “(D) required redesignation of the lead
 5 agency designated under section 102(d), after
 6 notice and an opportunity for comment, in
 7 order to continue to receive funds through a
 8 grant made under section 102 or 103.”; and

9 (2) in paragraph (3), by striking “subsection
 10 (a)(4)” and inserting “subsection (a)(5)”.

11 (c) ADDITIONAL ADMINISTRATIVE PROVISIONS.—

12 Section 105 is amended by adding at the end the follow-
 13 ing:

14 “(d) CHANGE OF PROTECTION AND ADVOCACY SERV-
 15 ICES PROVIDER.—

16 “(1) DETERMINATION.—The Governor of a
 17 State, based on input from individuals with disabili-
 18 ties, or the parents, family members, guardians, ad-
 19 vocates, or authorized representatives of such indi-
 20 viduals, may determine that the entity providing
 21 protection and advocacy services required by section
 22 102(e)(18) has not met the protection and advocacy
 23 service needs of the individuals with disabilities, or
 24 the parents, family members, guardians, advocates,
 25 or authorized representatives of such individuals for

1 securing funding for and access to assistive tech-
2 nology devices and assistive technology services, and
3 that there is good cause to provide the required serv-
4 ices for the State through a contract with another
5 nonprofit agency, organization or institution of high-
6 er education.

7 “(2) NOTICE AND OPPORTUNITY TO BE
8 HEARD.—On making such a determination, the Gov-
9 ernor shall—

10 “(A) give the agency providing protection
11 and advocacy services—

12 “(i) 30 days notice of the intention of
13 the Governor to change the agency provid-
14 ing such services, including specification of
15 the good cause for such a change; and

16 “(ii) an opportunity to respond to the
17 determination that good cause has been
18 shown;

19 “(B) provide individuals with disabilities,
20 or the parents, family members, guardians, ad-
21 vocates, or authorized representatives of such
22 individuals, with timely notice of the proposed
23 change and an opportunity for public comment;
24 and

1 “(C) provide the agency with the oppor-
2 tunity to appeal the determination on the basis
3 that the change was not for good cause.

4 “(3) REVIEW.—At the request of the agency,
5 the Secretary shall review the protection and advoca-
6 cy services provided by the entity pursuant to sec-
7 tion 102(e)(18), based on the criteria for such serv-
8 ices set out in the grant or contract to support such
9 services that is described in such section.

10 “(4) REVIEW.—Based on such review, the Sec-
11 retary may refuse to change the agency providing
12 the protection and advocacy services.

13 “(e) ANNUAL REPORT.—

14 “(1) IN GENERAL.—Not later than December
15 31 of each year, the Secretary shall prepare, and
16 submit to the President and to the Congress, a re-
17 port on Federal initiatives, including the initiatives
18 funded under this Act, to improve the access of indi-
19 viduals with disabilities to assistive technology de-
20 vices and assistive technology services.

21 “(2) CONTENTS.—Such report shall include in-
22 formation on—

23 “(A) the demonstrated successes of such
24 Federal initiatives at the Federal and State lev-
25 els in improving interagency coordination,

1 streamlining access to funding for assistive
2 technology, and producing beneficial outcomes
3 for users of assistive technology;

4 “(B) the demonstration activities carried
5 out through the Federal initiatives to—

6 “(i) promote access to such funding in
7 public programs that were in existence on
8 the date of the initiation of the demonstra-
9 tion activities; and

10 “(ii) establish additional options for
11 obtaining such funding;

12 “(C) the education and training activities
13 carried out through the Federal initiatives to
14 promote such access in public programs and the
15 health care system and the efforts carried out
16 through such activities to train professionals in
17 a variety of relevant disciplines, and increase
18 the competencies of the professionals with re-
19 spect to technology-related assistance;

20 “(D) the education and training activities
21 carried out through the Federal initiatives to
22 train individuals with disabilities, the parents,
23 family members, guardians, advocates, or au-
24 thorized representatives of individuals with dis-
25 abilities, individuals who work for public agen-

1 cies, or for private entities (including insurers),
2 that have contact with individuals with disabili-
3 ties, educators and related services personnel,
4 employers, and other appropriate individuals,
5 about technology-related assistance;

6 “(E) the research activities carried out
7 through the Federal initiatives to improve un-
8 derstanding of the cost-benefit results of access
9 to assistive technology for individuals with dis-
10 abilities who represent a variety of ages and
11 types of disabilities;

12 “(F) the program outreach activities to
13 rural and inner-city areas that are carried out
14 through the Federal initiatives;

15 “(G) the activities carried out through the
16 Federal initiatives that are targeted to reach
17 underserved groups; and

18 “(H) the consumer involvement activities
19 in the programs carried out under this Act.

20 “(3) AVAILABILITY OF ASSISTIVE TECHNOLOGY
21 DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.—
22 As soon as practicable, and to the extent that a na-
23 tional classification system for assistive technology
24 devices and assistive technology services is developed
25 pursuant to section 201, the Secretary shall include

1 in the annual report required by this subsection in-
2 formation on the availability of assistive technology
3 devices and assistive technology services for individ-
4 uals with disabilities, and shall report such informa-
5 tion in a manner consistent with such national clas-
6 sification system.

7 “(f) INTERAGENCY DISABILITY COORDINATING
8 COUNCIL.—

9 “(1) CONTENTS.—On or before October 1,
10 1995, the Interagency Disability Coordinating Coun-
11 cil established under section 507 of the Rehabilita-
12 tion Act of 1973 (29 U.S.C. 794c) shall prepare and
13 submit to the President and to the Congress a re-
14 port containing—

15 “(A) the response of the Interagency Dis-
16 ability Coordinating Council to—

17 “(i) the findings of the National
18 Council on Disability resulting from the
19 study entitled ‘Study on the Financing of
20 Assistive Technology Devices and Services
21 for Individuals with Disabilities’, carried
22 out in accordance with section 201 of this
23 Act, as in effect on the day before the date
24 of enactment of this subsection; and

1 “(ii) the recommendations of the Na-
2 tional Council on Disability for legislative
3 and administrative change, resulting from
4 such study; and

5 “(B) information on any other activities of
6 the Interagency Disability Coordinating Council
7 that facilitate the accomplishment of section
8 2(b)(2) with respect to the Federal Govern-
9 ment.

10 “(2) COMMENTS.—The report shall include any
11 comments submitted by the National Council on
12 Disability as to the appropriateness of the response
13 described in paragraph (1)(A) and the effectiveness
14 of the activities described in paragraph (1)(B) in
15 meeting the needs of individuals with disabilities for
16 assistive technology devices and assistive technology
17 services.”.

18 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
20 106(a) (29 U.S.C. 2216(a)) is amended by striking
21 “\$9,000,000” and all that follows and inserting “such
22 sums as may be necessary for each of the fiscal years 1994
23 through 1996.”.

24 (b) RESERVATIONS.—Section 106(b) (29 U.S.C.
25 2216(b)) is amended to read as follows:

1 “(b) RESERVATIONS.—

2 “(1) PROVISION OF INFORMATION AND TECH-
3 NICAL ASSISTANCE.—

4 “(A) IN GENERAL.—Of the funds appro-
5 priated for any fiscal year under subsection (a),
6 the Secretary shall reserve 2 percent or
7 \$1,500,000, whichever is greater, of such funds,
8 for the purpose of providing information and
9 technical assistance as described in subpara-
10 graphs (B) and (C) to States, individuals with
11 disabilities, the parents, family members,
12 guardians, advocates, or authorized representa-
13 tives of such individuals, community-based or-
14 ganizations, and protection and advocacy agen-
15 cies.

16 “(B) TECHNICAL ASSISTANCE TO
17 STATES.—In providing such information and
18 technical assistance to States the Secretary
19 shall consider the input of the directors of
20 consumer-responsive comprehensive statewide
21 programs of technology-related assistance, and
22 shall provide information and technical assist-
23 ance that—

24 “(i) facilitate service delivery capacity
25 building, training of personnel from a vari-

1 ety of disciplines, and improvement of eval-
2 uation strategies, research, and data collec-
3 tion;

4 “(ii) foster the development and rep-
5 lication of effective approaches to informa-
6 tion referral, interagency coordination of
7 training and service delivery, outreach to
8 underserved groups, and public awareness
9 activities;

10 “(iii) improve the awareness and
11 adoption of successful approaches to in-
12 creasing the availability of public and pri-
13 vate funding for and access to the provi-
14 sion of assistive technology devices and
15 assistive technology services by appropriate
16 State agencies;

17 “(iv) assist in planning, developing,
18 implementing, and evaluating appropriate
19 activities to further extend consumer-re-
20 sponsive comprehensive statewide pro-
21 grams of technology-related assistance for
22 individuals with disabilities; and

23 “(v) promote effective approaches to
24 the development of consumer-controlled
25 systems that increase access to, funding

for, and awareness of assistive technology devices and assistive technology services.

“(C) INFORMATION AND TECHNICAL ASSISTANCE TO INDIVIDUALS WITH DISABILITIES AND OTHER PERSONS.—The Secretary shall provide such information and technical assistance to individuals with disabilities, the parents, family members, guardians, advocates, or authorized representatives of such individuals, community-based organizations, and protection and advocacy agencies, on a nationwide basis, to—

“(i) foster awareness and understanding of Federal, State, and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for and access to assistive technology devices and assistive technology services, to promote fuller independence, productivity, and inclusion for individuals of all ages who are individuals with disabilities;

“(ii) facilitate effective systemic change activities;

1 “(iii) improve the understanding and
2 use of assistive technology funding deci-
3 sions made as a result of policies, prac-
4 tices, and procedures, or through regula-
5 tions, administrative hearings, or legal ac-
6 tions, that enhance access to funding for
7 assistive technology devices and assistive
8 technology services for individuals with dis-
9 abilities;

10 “(iv) promote effective approaches to
11 Federal-State coordination of programs for
12 individuals with disabilities, through infor-
13 mation dissemination and technical assist-
14 ance activities in response to funding pol-
15 icy issues identified on a nationwide basis
16 by organizations, and individuals, that im-
17 prove funding for or access to assistive
18 technology devices and assistive technology
19 services for individuals of all ages who are
20 individuals with disabilities; and

21 “(v) promote effective approaches to
22 the development of consumer-controlled
23 systems that increase access to, funding
24 for, and awareness of assistive technology
25 devices and assistive technology services,

1 including the identification and description
2 of mechanisms and means that successfully
3 support self-help and peer mentoring
4 groups for individuals with disabilities.

5 “(D) COORDINATION.—The Secretary shall
6 coordinate the information and technical assist-
7 ance activities carried out under subparagraph
8 (B) or (C) with other activities funded under
9 this Act.

10 “(E) GRANTS, CONTRACTS, OR COOPERA-
11 TIVE AGREEMENTS.—

12 “(i) IN GENERAL.—The Secretary
13 shall provide the technical assistance and
14 information described in subparagraphs
15 (B) and (C) through grants, contracts, or
16 cooperative agreements with public or pri-
17 vate agencies and organizations, including
18 institutions of higher education, with docu-
19 mented experience, expertise, and capacity
20 to carry out identified activities related to
21 the provision of such technical assistance
22 and information.

23 “(ii) ENTITIES WITH EXPERTISE IN
24 ASSISTIVE TECHNOLOGY SERVICE DELIV-
25 ERY, INTERAGENCY COORDINATION, AND

1 SYSTEMIC CHANGE ACTIVITIES.—For the
2 purpose of achieving the objectives de-
3 scribed in paragraph (1)(B), the Secretary
4 shall reserve not less than 45 percent and
5 not more than 55 percent of the funds re-
6 served under subparagraph (A) for each
7 fiscal year for grants to, or contracts or co-
8 operative agreements with, public or pri-
9 vate agencies or organizations with docu-
10 mented experience with and expertise in
11 assistive technology service delivery, inter-
12 agency coordination, and systemic change
13 activities.

14 “(iii) ENTITIES WITH EXPERTISE IN
15 ASSISTIVE TECHNOLOGY SYSTEMIC
16 CHANGE, PUBLIC FUNDING OPTIONS, AND
17 OTHER SERVICES.—For the purpose of
18 achieving the objectives described in para-
19 graph (1)(C), the Secretary shall reserve
20 not less than 45 percent and not more
21 than 55 percent of the funds reserved
22 under subparagraph (A) for each fiscal
23 year for grants to, or contracts or coopera-
24 tive agreements with, public or private

1 agencies or organizations with documented
2 experience with and expertise in—

3 “(I) assistive technology systemic
4 change;

5 “(II) public funding options; and

6 “(III) services to increase nation-
7 wide the availability of funding for
8 assistive technology devices and
9 assistive technology services.

10 “(iv) ENTITY WITH EXPERTISE IN
11 FUNDING.—The Secretary may reserve
12 funds equally from the amounts reserved
13 under clauses (ii) and (iii) for a fiscal year
14 in an amount up to \$300,000 for an addi-
15 tional grant to, or contract or cooperative
16 agreement with, a public or private organi-
17 zation with demonstrated expertise in
18 funding. An organization that receives
19 funding through such a grant, contract, or
20 agreement shall use the funding to provide
21 information and technical assistance spe-
22 cifically related to funding to assist the
23 agencies, and organizations described in
24 clauses (ii) and (iii) in carrying out activi-
25 ties under this paragraph.

1 “(v) APPLICATION.—The Secretary
2 shall make any grants, and enter into any
3 contracts or cooperative agreements, under
4 this subsection on a competitive basis. To
5 be eligible to receive funds under this sub-
6 section an agency, organization, or institu-
7 tion shall submit an application to the Sec-
8 retary at such time, in such manner, and
9 containing such information as the Sec-
10 retary may require.

11 “(2) ONSITE VISITS.—The Secretary may re-
12 serve, from amounts appropriated for any fiscal year
13 under subsection (a), such sums as the Secretary
14 considers to be necessary for the purposes of con-
15 ducting onsite visits as required by section
16 105(a)(2).”.

17 **SEC. 107. REPEALS.**

18 Section 107 (29 U.S.C. 2217) is repealed.

19 **TITLE II—PROGRAMS OF**
20 **NATIONAL SIGNIFICANCE**

21 **SEC. 201. NATIONAL CLASSIFICATION SYSTEM.**

22 Part A of title II (29 U.S.C. 2231 et seq.) is amended
23 to read as follows:

1 **“PART A—NATIONAL CLASSIFICATION SYSTEM**

2 **“SEC. 201. CLASSIFICATION SYSTEM.**

3 **“(a) PILOT PROJECT.—**

4 **“(1) IN GENERAL.—**The Secretary shall con-
5 duct a pilot project to develop and test a national
6 classification system for assistive technology devices
7 and assistive technology services, with the goal of
8 obtaining uniform data through such a system on
9 such devices and services across public programs
10 and information and referral networks.

11 **“(2) CONTRACTS AND COOPERATIVE AGREE-**
12 **MENTS.—**The Secretary may carry out this section
13 directly, or, if necessary, by entering into contracts
14 or cooperative agreements with appropriate entities.

15 **“(b) SINGLE TAXONOMY.—**In conducting the pilot
16 project, the Secretary shall develop a national classifica-
17 tion system that includes a single taxonomy and nomen-
18 clature for assistive technology devices and assistive tech-
19 nology services.

20 **“(c) DATA COLLECTION INSTRUMENT.—**In conduct-
21 ing the pilot project, the Secretary shall develop a data
22 collection instrument to—

23 **“(1) collect data regarding funding for assistive**
24 technology devices and assistive technology services;
25 and

1 “(2) collect such data from public programs, in-
2 cluding, at a minimum, programs carried out
3 under—

4 “(A) title I, VI, or VII of the Rehabilita-
5 tion Act of 1973 (29 U.S.C. 720 et seq., 795
6 et seq., or 796 et seq.);

7 “(B) part B or H of the Individuals with
8 Disabilities Education Act (20 U.S.C. 1411 et
9 seq. or 1471 et seq.);

10 “(C) title V or XIX of the Social Security
11 Act (42 U.S.C. 701 et seq. or 1396 et seq.);

12 “(D) the Older Americans Act of 1965 (42
13 U.S.C. 3001 et seq.); or

14 “(E) the Developmental Disabilities Assist-
15 ance and Bill of Rights Act (42 U.S.C. 6000 et
16 seq.).

17 “(d) CONSULTATION AND COORDINATION.—

18 “(1) CONSULTATION.—The Secretary shall con-
19 duct the pilot project in consultation with the Inter-
20 agency Disability Coordinating Council established
21 under section 507 of the Rehabilitation Act of 1973
22 (29 U.S.C. 794e) and the National Council on Dis-
23 ability established under section 400 of such Act (29
24 U.S.C. 780).

1 “(2) COORDINATION.—The Secretary shall co-
2 ordinate activities related to conducting the pilot
3 project with—

4 “(A) activities carried out through State
5 programs funded under title I;

6 “(B) the provision of technical assistance
7 under section 106(b);

8 “(C) data collection activities that are
9 being carried out on the date on which the Sec-
10 retary initiates the pilot project;

11 “(D) activities being carried out through
12 data collection systems in existence on such
13 date; and

14 “(E) activities of appropriate entities, in-
15 cluding entities involved in the information and
16 referral field.

17 “(e) TIMING.—The Secretary shall complete the pilot
18 project not later than 24 months after the date of enact-
19 ment of this section.

20 “(f) REPORT TO CONGRESS ON IMPLEMENTATION OF
21 UNIFORM DATA COLLECTION SYSTEM.—Not later than
22 January 1, 1996, the Secretary shall prepare and submit
23 to the appropriate committees of Congress a report
24 containing—

25 “(1) the results of the pilot project; and

1 “(2) the recommendations of the Secretary con-
2 cerning the feasibility of implementing a uniform
3 data collection system based on such a national clas-
4 sification system.

5 “(g) RESERVATION.—From the amounts appro-
6 priated under part D, the Secretary shall reserve
7 \$200,000 to carry out this part.”.

8 **SEC. 202. TRAINING AND PUBLIC AWARENESS PROJECTS.**

9 Section 221 (29 U.S.C. 2251) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1)—

12 (i) by striking “institutions of higher
13 education” and inserting “institutions of
14 higher education and community-based or-
15 ganizations”;

16 (ii) in subparagraph (A), by striking
17 “and” at the end;

18 (iii) by striking the period at the end
19 of subparagraph (B), and inserting the fol-
20 lowing: “, to enhance opportunities for
21 independence, productivity, and inclusion
22 of individuals with disabilities; and”; and

23 (iv) by adding at the end the follow-
24 ing:

1 “(C) providing training to develop aware-
2 ness, skills, and competencies of service provid-
3 ers, consumers, and volunteers, who are located
4 in rural areas, to increase the availability of
5 technology-related assistance in community-
6 based settings for rural residents who are indi-
7 viduals with disabilities.”;

8 (B) in paragraph (2)—

9 (i) by striking “needs of individuals
10 with disabilities” and all that follows and
11 inserting the following: “needs of individ-
12 uals with disabilities, the parents, family
13 members, guardians, advocates, and au-
14 thorized representatives of the individuals,
15 individuals who work for public agencies,
16 or for private entities (including insurers),
17 that have contact with individuals with dis-
18 abilities, educators and related services
19 personnel, employers, and other appro-
20 priate individuals.”; and

21 (C) by adding at the end the following new
22 paragraphs:

23 “(3) USES OF FUNDS.—An agency or organiza-
24 tion that receives a grant under paragraph (1) may
25 use amounts made available through the grant to—

1 “(A) pay for a portion of the cost of
2 courses of training or study related to tech-
3 nology-related assistance; and

4 “(B) establish and maintain scholarships
5 related to such courses of training or study,
6 with such stipends and allowances as the Sec-
7 retary may determine to be appropriate.

8 “(4) APPLICATION.—

9 “(A) IN GENERAL.—To be eligible to re-
10 ceive a grant under this section, an agency or
11 organization shall submit an application to the
12 Secretary at such time, in such manner, and
13 containing such information as the Secretary
14 may require.

15 “(B) STRATEGIES.—At a minimum, any
16 such application shall include a detailed descrip-
17 tion of the strategies that the agency or organi-
18 zation will use to recruit and train persons to
19 provide technology-related assistance, in order
20 to—

21 “(i) increase the extent to which such
22 persons reflect the diverse populations of
23 the United States; and

24 “(ii) increase the number of individ-
25 uals with disabilities, and individuals who

1 are members of minority groups, who are
2 available to provide such assistance.”; and
3 (2) in subsection (b)—

4 (A) in paragraph (1), by inserting “public
5 and private agencies and organizations, includ-
6 ing” before “institutions of higher education”;

7 (B) in paragraph (2), by striking “prepa-
8 ration of personnel” and all that follows and in-
9 serting the following: “interdisciplinary prepa-
10 ration of personnel who provide or who will pro-
11 vide technical assistance, who administer pro-
12 grams, or who prepare other personnel, in order
13 to—

14 “(A) support the development and imple-
15 mentation of consumer-responsive comprehen-
16 sive statewide programs of technology-related
17 assistance to individuals with disabilities; and

18 “(B) enhance the skills and competencies
19 of individuals involved in the provision of tech-
20 nology-related assistance, including assistive
21 technology devices and assistive technology
22 services, to individuals with disabilities.”;

23 (C) in paragraph (3), to read as follows:

1 “(3) USES OF FUNDS.—An agency or organiza-
2 tion that receives a grant under paragraph (1) may
3 use amounts made available through the grant to—

4 “(A) pay for a portion of the cost of
5 courses of training or study related to tech-
6 nology-related assistance; and

7 “(B) establish and maintain scholarships
8 related to such courses of training or study,
9 with such stipends and allowances as the Sec-
10 retary may determine to be appropriate.”; and

11 (D) by adding at the end the following:

12 “(4) APPLICATION.—

13 “(A) IN GENERAL.—To be eligible to re-
14 ceive a grant under this section, an agency or
15 organization shall submit an application to the
16 Secretary at such time, in such manner, and
17 containing such information as the Secretary
18 may require.

19 “(B) STRATEGIES.—At a minimum, any
20 such application shall include a detailed descrip-
21 tion of the strategies that the agency or organi-
22 zation will use to recruit and train persons to
23 provide technology-related assistance, in order
24 to—

1 “(i) increase the extent to which such
2 persons reflect the diverse populations of
3 the United States; and

4 “(ii) increase the number of individ-
5 uals with disabilities, and individuals who
6 are members of minority groups, who are
7 available to provide such assistance.”.

8 **SEC. 203. DEMONSTRATION AND INNOVATION PROJECTS.**

9 Section 231(b)(3) (29 U.S.C. 2261(b)(3)) is amended
10 to read as follows:

11 “(3) DIRECT LOAN PROJECTS.—Demonstration
12 projects carried out in accordance with regulations
13 issued by the Secretary (which may include a re-
14 quirement that the Secretary provide not more than
15 90 percent of the costs of carrying out any such
16 project under this section) to—

17 “(A) examine alternative direct loan pro-
18 grams, including—

19 “(i) programs involving low-interest
20 loan funds;

21 “(ii) programs involving revolving loan
22 funds; and

23 “(iii) loan insurance programs,
24 that would provide loans to individuals with dis-
25 abilities, the parents, family members, guard-

1 ians, advocates, or authorized representatives of
2 individuals with disabilities, or employers of in-
3 dividuals with disabilities; and

4 “(B) evaluate the efficacy of the particular
5 loan systems involved.”.

6 **SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 241 (29 U.S.C. 2271) is amended to read as
8 follows:

9 **“SEC. 241. AUTHORIZATION OF APPROPRIATIONS.**

10 “There are authorized to be appropriated to carry out
11 this title such sums as may be necessary for each of the
12 fiscal years 1994, 1995, and 1996.”.

13 **SEC. 205. REPEALS AND REDESIGNATIONS.**

14 Title II (29 U.S.C. 2231 et seq.) is amended—

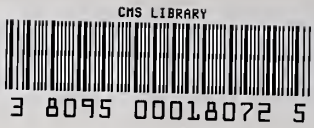
15 (1) by repealing part B;

16 (2) by redesignating parts C, D, and E as parts
17 B, C, and D, respectively;

18 (3) by repealing section 222;

19 (4) by redesignating sections 221 and 223 as
20 sections 211 and 212, respectively; and

21 (5) by redesignating sections 231 and 241 as
22 sections 221 and 231, respectively.



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103D CONGRESS
1ST SESSION

S. 1283

[Report No. 103-119]

A BILL

To amend the Technology-Related Assistance for
Individuals With Disabilities Act of 1988 to im-
prove the Act, and for other purposes.

AUGUST 3 (legislative day, JUNE 30), 1993

Reported without amendment